

Application No. 10/675,438
Attorney Docket No. 12761US02

REMARKS

The present application includes claims 1-14. Claims 4-14 were allowed by the Examiner. Claims 1-3 were objected to by the Examiner. By this Amendment, independent claim 1 has been amended.

Claims 1-3 were rejected under 35 U.S.C. §102(b) as being anticipated by Wheeler et al., U.S. Patent No. 4,801,342. Wheeler teaches an apparatus for forming a butt splice. The device disclosed in Wheeler includes a knife wheel assembly that may include a roller that has a rotary, round knife or cutting edge. When the knife wheel assembly is activated, the roller may be moved from a first position to a second position, during which time the roller may come into contact with, and travel along, web material that is being held against the adjacent side of an anvil. The ability of the roller in Wheeler to rotate or spin while the roller traverses across the web material is at least in part dependent on the actual physical contact between the roller and the web material that is being trimmed or cut. Whether the roller in Wheeler actually rotates while traveling along the web material depends on factors such as the coefficient of friction between the roller and the web material. Thus, because the roller in Wheeler is not rotationally positively driven so as to force the roller and associated rotary, round knife or cutting edge, to rotate while traveling along the web material, in some applications the roller in Wheeler may be pushed, rather than rotated, while traveling along the web material.

Claim 1 has been amended to include the feature that the apparatus has a means for positively driving rotational movement of the shear wheel. Consequently, Applicant

Application No. 10/675,438
Attorney Docket No. 12761US02

respectfully submits that independent claim 1, and its respective dependent claims 2 and 3, are allowable.

Application No. 10/675,438
Attorney Docket No. 12761US02

CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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